

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION

**ROY HOLMES, TINA ALEXANDER,  
and PATRICK NORRIS, and MELISSA GARNER,  
Each Individually and on Behalf of  
All Others Similarly Situated**

**PLAINTIFFS**

vs.

Case No. 4:20-cv-191-DPM

**STETSON COURIER, INC.  
and JOHN STETSON**

**DEFENDANTS**

**PLAINTIFFS' MOTION FOR COSTS AND ATTORNEYS' FEES**

Plaintiffs Roy Holmes, Tina Alexander, Patrick Norris, and Melissa Garner, each individually and on behalf of all others similarly situated, by and through their attorneys of the Sanford Law Firm, PLLC, for their Motion for Costs and Attorneys' Fees, states as follows:

1. Plaintiffs filed this case on February 25, 2020, pursuant to the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201 *et seq*, and the Arkansas Minimum Wage Act (AMWA), Ark. Code Ann. § 11-4-201, *et seq*, to recover unpaid wages.

2. This case progressed through formal and informal discovery efforts including written discovery requests and depositions, as well as extensive motions practice and, ultimately through trial.

3. The Court held a four-day bench trial in this case and the related case of *Hames v. Stetson Courier, Inc.*, Case No. 3:21-cv-218-DPM (E.D. Ark.) on December 12–16, 2022. At trial, the Court made a determination on liability, decertified the

collective, and requested post-trial briefing regarding damages. The Court entered an Order on September 29 awarding Plaintiffs damages. ECF No. 137.

4. The Court entered Judgment against Defendant on September 29, awarding \$19,612.73 in damages to Plaintiff Holmes, \$11,618.85 to Plaintiff Alexander, \$21,305.40 to Plaintiff Norris, and \$6,776.10 to Plaintiff Garner and directing Plaintiffs to file a Motion for fees and costs by October 31.

5. Accordingly, Plaintiffs file the current Motion requesting an award of costs and attorneys' fees pursuant to the FLSA, 29 U.S.C. § 216(b), and the AMWA, Ark. Code Ann. § 11-4-218(a).

6. As shown on the Billing Spreadsheet attached hereto as Exhibit 1, Plaintiffs request \$114,985.60<sup>1</sup> in attorneys' fees incurred through October 23, 2023, related to the successful litigation of Plaintiffs' claims. Plaintiffs categorized and summarized billing by attorney and category of work for the Court's convenience in reviewing this request.

7. As shown in detail on Plaintiffs' Costs Invoice (Exhibit 3), Plaintiffs also incurred \$8,477.78 in costs other than attorneys' fees during litigation. Plaintiffs are entitled to these costs under the FLSA, 29 U.S.C. § 216(b), and under Rule 54(d).

8. Accordingly, Plaintiffs request a total award of costs and attorneys' fees in the amount of \$123,462.78.

9. In support of this Motion, Plaintiffs attach hereto and incorporate herein the following exhibits:

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<sup>1</sup> The grand total on the Billing Invoice is \$115,010.60, which is \$25.00 higher than the totals in the category and attorney summary tables contained in this Motion's incorporated Brief in Support and Declaration of Attorney Josh Sanford. Plaintiffs' counsel has been unable to find the discrepancy and is requesting the lower amount.

- Ex. 1 Billing Spreadsheet;
- Ex. 2 Declaration of Attorney Josh Sanford; and
- Ex. 3 Costs Invoice

10. This Motion is supported by a contemporaneous Memorandum Brief.

WHEREFORE, Plaintiffs respectfully request that this Motion for Costs and Attorneys' Fees be granted in its entirety, that the Court award Plaintiffs fees and costs in the amount of \$123,462.78, and for all other just and equitable relief to which Plaintiffs may be entitled.

Respectfully submitted,

**ROY HOLMES, TINA ALEXANDER,  
PATRICK NORRIS and MELISSA  
GARNER, PLAINTIFFS**

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